

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOHN WES SKIERSKI, §
§
Plaintiff, §
§
v. § Civil Action No. _____
§
ARLINGTON INDEPENDENT §
SCHOOL DISTRICT, STACIE §
HUMBLES, THEODORE JARCHOW, §
MICHAEL HILL, MATT SMITH, AND §
CAROLINE LUCKAU §
§
Defendants. §

DEFENDANTS' NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendants Arlington Independent School District, Stacie Humbles, Theodore Jarchow, Michael Hill, Matt Smith, and Caroline Luckau (collectively Defendants) remove Cause No. 153-362365-25 (the State Court Action) from the District Court of Tarrant County, Texas, to the United States District Court for the Northern District of Texas, Fort Worth Division, and would respectfully show the Court as follows:

I. SUMMARY OF STATE COURT ACTION

1. Plaintiff John Wes Skierski originally filed his Verified Original Petition and Request for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction to allege state common law causes of action, including “conspiracy” and “ultra vires” acts against Defendants. (Original Petition, ¶¶ 29-37). Plaintiff filed his Original Petition on or about February 28, 2025, in the 153rd Judicial District Court of Texas, Tarrant County, Texas.

2. On April 8, 2025, Plaintiff filed his Verified First Amended Petition and Request for Temporary Injunction and Permanent Injunction. Under the Amended Petition, Plaintiff added

several claims arising under federal law. Specifically, Plaintiff has alleged federal claims for conspiracy under 42 U.S.C. § 1985, as well as violations of his First Amendment and Fourteenth Amendment rights pursuant to 42 U.S.C. § 1983. (Amended Petition, ¶¶ 32-58). Plaintiff also re-pleaded his state law cause of action of “ultra vires” acts against Defendants. (Amended Petition, ¶¶ 32-58).

3. Copies of all state court documents are attached hereto and incorporated herein via an Appendix, and comprise all process, pleadings, and orders served in the action. This notice of removal is timely filed under 28 U.S.C. § 1446(b), in that it is filed within thirty (30) days of service of Plaintiff’s First Amended Petition.

II. JURISDICTION

4. The State Court Action is removable under 28 U.S.C. § 1441 on the basis of federal question jurisdiction. Any civil action brought in a state court may be removed without regard to the citizenship of the parties when the district courts of the United States have original jurisdiction.¹ District courts of the United States have original jurisdiction over all civil actions arising under the Constitution and laws of the United States.²

5. Plaintiff’s Amended Petition contains claims arising under federal law, specifically 42 U.S.C. § 1983 and 42 U.S.C. § 1985. Because Plaintiff’s claims arise under federal statutes, the action is removable, and the United States District Court for the Northern District of Texas, Fort Worth Division has jurisdiction.

6. Moreover, the Court has jurisdiction over the entirety of the State Court Action, because the remaining state law claims arise out of “a common nucleus of operative facts” as the

¹ 28 U.S.C. § 1441(a)

² 28 U.S.C. § 1446

constitutional claims.³ Specifically, all claims are based on Plaintiff's allegations regarding a criminal trespass warning issued to Plaintiff. As stated in statute, the remaining claims are "so related" to the federal constitutional claims "that they form part of the same case or controversy" and give the Court supplemental jurisdiction over those claims.⁴

7. Accordingly, the entire State Court Action is removable.

III. REMOVAL REQUIREMENTS

8. Filed simultaneously herewith is an index of the pleadings from the State Court Action, a copy of the State Court Action docket sheet, copies of all pleadings asserting causes of action and all answers to such pleadings filed in the State Court Action, and a Certificate of Interested Persons.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that the State Court Action be removed to this Court for trial and determination, that all further proceedings in the State Court Action be stayed, and that Defendants have all additional relief to which they may be justly entitled.

Respectfully submitted,

By: /s/ Meredith Prykryl Walker
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State Bar No. 24056487

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³ See *United Mine Workers of Am. v. Gibbs*, 383 U.S. 715, 725 (1966).

⁴ See 28 U.S.C. § 1367(a).

CERTIFICATE OF SERVICE

On April 25, 2025, I electronically submitted the foregoing document with the clerk of court for the United States District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

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/s/ Meredith Prykryl Walker
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